



PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Eiko MASATASUJI, et al

Appln. No.: 09/492,763

Group Art Unit: 1614

Confirmation No.: Unknown

Examiner: V. Kim

Filed: January 27, 2000

For: Dermal Agent

DECLARATION UNDER 37 C.F.R. § 1.132

Commissioner for Patents
Washington, D.C. 20231

Sir:

We, Eiko Masatsuji, Toshi Tsuzuki, Shinobu Itoh and Eiji Ogata hereby declare and state:

THAT we are citizens of Japan.

THAT we are co-inventors of the invention disclosed and claimed in the above-identified U.S. patent application and hence we are fully familiar therewith.

THAT we are familiar with the Office Action dated January 28, 2004, in which claims 1-6 of the above-identified application are rejected under 35 U.S.C. § 102(a) as allegedly being anticipated by Suzuki et al (EP '321).

THAT we are joint inventors of the subject matter disclosed in EP '321 cited against the above-identified application.

THAT the disclosure in EP '321 upon which the Examiner relies as the basis for the rejection under 35 U.S.C. § 102(a), was derived from us.

THAT Eiko Masatsuji was inadvertently omitted from the Declaration under 37 C.F.R. § 1.132 filed July 2, 2001, in this regard.

We declare further that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date: June 10, 2004

Eiko Masatsuji
Eiko Masatsuji

Date: June 2, 2004

Toshi Tsuzuki
Toshi Tsuzuki

Date: June 7, 2004

Shinobu Itoh
Shinobu Itoh

Date: June 7, 2004

Eiji Ogata
Eiji Ogata